

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

SPECTRUM WT, BARRETT BRIGHT,
and LAUREN STOVALL,

Plaintiffs,

v.

WALTER WENDLER, in his individual
capacity and his official capacity as the
President of West Texas A&M University,

CHRISTOPHER THOMAS, in his official
capacity as Vice President for Student
Affairs at West Texas A&M University,

JOHN SHARP, in his official capacity as
Chancellor of the Texas A&M University
System,

ROBERT L. ALBRITTON, JAMES R.
BROOKS, JAY GRAHAM, MICHAEL A.
HERNANDEZ III, TIM LEACH, BILL
MAHOMES, ELAINE MENDOZA,
MICHAEL J. PLANK, CLIFF THOMAS,
and DEMETRIUS L. HARRELL JR., in
their official capacities as members of the
Board of Regents of the Texas A&M
University System,

Defendants.

Case No.: 2:23-cv-00048-Z

Hon. Matthew J. Kacsmaryk

**ORDER GRANTING PLAINTIFFS' AMENDED MOTION
FOR A PRELIMINARY INJUNCTION**

Having fully considered Plaintiffs' Amended Motion for a Preliminary Injunction, the Court finds that Plaintiffs have demonstrated good cause for the Court to issue a preliminary injunction, as Plaintiffs have shown both a substantial likelihood of success on the merits and that they will suffer immediate and irreparable harm from Defendants' conduct absent immediate and preliminary

injunctive relief. The Court also finds that the balance of the equities favors Plaintiffs, and that the public interest will be served by this Order.

Thus, the Court hereby ORDERS that:

1. Defendants, and their employees, agents, servants, officers, and persons in concert with Defendants, are enjoined from enforcing President Wendler's ban on drag shows in campus facilities generally available for student group use.
2. Defendants, and their employees, agents, servants, officers, and persons in concert with Defendants, are enjoined from enforcing any of the viewpoint- and content-discriminatory prohibitions on expressive activity contained in President Walter Wendler's March 20, 2023 email titled "A Harmless Drag Show? No Such Thing," when making West Texas A&M University facilities or spaces available to Plaintiffs or other student organizations.
3. Pursuant to Federal Rule of Civil Procedure 65(c), Plaintiffs are not required to post a bond for this injunction.

SO ORDERED.

Signed this ____ day of _____, 2023

MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE